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Author

Title

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Holt, Joseph,

VINDICATION
OF
JUDGE ADVOCATE GENERAL HOLT,
FROM
THE FOUL SLANDERS
OF
Traitors, their Aiders, Abettors, and Sympathizers,
ACTING IN THE
INTEREST OF JEFFERSON DAVIS.

SECOND EDITION,

COMPRISING THE DEPOSITIONS OF

JOSEPH A. HOARE and WILLIAM H. ROBERTS, and the letters of Hon.
JAMES F. WILSON, Chairman of the Judiciary Committee; of Hon.
GEO. L. BOUTWELL and D. MORRIS, members of
said Committee, and of BVT. COL. TURNER,
and of Hon. E. M. STANTON,
Secretary of War.

GIFT
MRS WALLACE H. WHITE
JUNE 21 1955

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WASHINGTON, Sept. 4th, 1866.

TO ALL LOYAL MEN:

In the name of simple justice—which is all that I claim from friend or foe—your attention is respectfully invited to the subjoined article from the *WASHINGTON CHRONICLE* of yesterday, as presenting a perfectly truthful vindication of myself from the atrocious calumny with which traitors, confessed perjurers, and suborners are now so basely pursuing me.

J. HOLT.

When the minority report of Rogers upon the examination made by the Judiciary Committee into the testimony alleged to implicate Davis in the assassination of President Lincoln was published, it was so shameless in its perversions and falsehoods and so malignantly slanderous in its tone that, in common with the loyal press of the country, we treated the paper with the silence and contempt which it so well deserved. It was felt that neither public justice nor the reputation of long-tried and faithful officers of the Government could suffer from utterances so foul, made in the interest of the rebellion, and under the inspiration of the relentless hate which traitors everywhere bear toward all loyal and true men. The imputation upon the integrity of the Judge Advocate General and the Bureau of Military Justice was not indeed distinctly and broadly affirmed in this report, though it was again and again covertly insinuated. Encouraged, however, by the silence of the press and of Judge Holt, this imputation has now audaciously assumed a phase so entirely novel and decided as to make it due to public opinion that some notice should be taken of it.

It is clear that a conspiracy has been formed to defame the Judge Advocate General and the Bureau of Military Justice, and to invoke upon him and the testimony which has been discredited such a measure of popular condemnation as, it is hoped, will give some support to the movement now so vigorously pressed for the release of Davis. At the bottom of this conspiracy, or actively engaged in executing its purposes, is Sanford Conover, who, after having been fully proved guilty of subornation of perjury, has unquestionably sold himself to the friends of Davis, and is seeking with them to

destroy the reputation of a public officer whose confidence he gained, as we shall hereafter see, by the most solemn protestations, and which confidence he afterward most treacherously abused. The new feature in the operation of these conspirators, which is now attracting attention, consists in the manufacture of various notes containing calumnious allusions, with dates and averments, and insinuations to suit, which purport to have passed between Conover and his suborned witnesses; and that Conover is directly engaged in this guilty work is proved by the publication, in connection with these notes, of letters addressed to himself by the Judge Advocate General, and which could only have left his possession to be distorted and used, as they have been, in furtherance of this conspiracy. We have now before us the *Springfield Republican* of August 14, the *New York Herald* of August 24, and the *National Intelligencer* of the same date, in which the notes referred to appear.

These are one signed "M.," which bears date April 17, 1866, and is addressed to Conover; one signed "William Campbell," and addressed to Conover, dated "St. Albans, Vt., Nov. 19, 1865;" one by the same without date; one signed "Carter," addressed to Conover, and dated "Quartermaster's Office, April 27, 1866;" one signed "Joseph Sneyil," addressed to Conover, under date of "Westchester House, Nov. 14, 1865;" one signed "S. Conover," addressed to Patten, under date of Ephrata Mountain House, June 8, 1866." There are also two brief letters from the Judge Advocate General to Conover, the one dated March 17, 1866, and the other April 26, 1866.

Now, with the exception of the two last-named letters of the Judge Advocate General,

we pronounce all these notes sheer fabrications, manufactured and skilfully adjusted in dates, statements, intimations, &c., to sustain this infamous raid on the character of the Bureau of Military Justice. To those thoroughly conversant with the history of the Conover testimony these papers furnish in themselves conclusive evidence of the spuriousness with which we now brand them. The hand of Conover, who is as shrewd as he is criminal, is seen throughout in adroitly arranging their suggestions, dates, &c., and placing them in such juxtaposition to the letters of the Judge Advocate General as to seem to give to the latter a signification wholly different from that intended by the writer. A more cold-blooded and devilish plot for the assassination of character has never been concocted in any age or country. It was a task meet for self-confessed perjurers and suborners; and zealously and faithfully are they keeping their faith with the traitors in whose service they are.

We have not the time or space to point out in detail the internal proofs of the fabrication of those notes of Conover and his co-perjurers which the notes themselves furnish when viewed in their relation to surrounding circumstances, and must content ourselves with some general observations corroborating our position. Take for example the note signed "Carter," and dated "Quartermaster's Office, April 27, 1866;" it is, in its every line and letter, an unadulterated lie so far as Judge Holt is concerned and he so pronounces it. This man Carter was one of the witnesses produced by Conover, but he has not been seen, communicated with, or even heard of, by Judge Holt since he gave his deposition on the 9th day of February, 1866. Yet this note has been so fabricated, and placed, in date and position, in such relation to Judge Holt's letter to Conover of 26th April, 1866, as to suggest a meaning entirely different from that intended to be conveyed by its language. This letter was merely one of introduction, borne by Colonel Turner, who was sent to New York for the witnesses, and was addressed to Conover, who was supposed to know their whereabouts, with a view of inducing him to aid Colonel Turner in finding them; and it was written before there was any ground known to the Judge Advocate General for suspecting the fraud which had been practised. It was after Colonel Turner's arrival in New York, and after his conference with the witness, Campbell, that the subornation of perjury committed by Conover was discovered. Anybody, after this statement, by examining the note and letter in their relation to each other as published, can see how ingenious and yet how atrocious is the use which has been made of them. This note, in

its falsehood, as well as in the vile and stealthy purpose it has been made to serve, is a fair sample of the whole.

Again, the letter of Judge Holt of the 17th March, 1866, alluding to funds having been remitted to Conover for Campbell and Snevil, related to a small amount of money sent to meet the necessary expenses of these witnesses, who had been held by the authority of the Government, and with the understanding that their expenses should be defrayed—which in good faith was done, and properly done. Yet, as it will be seen by looking at the publication as made, this letter is placed between two fabricated notes containing suggestions which were evidently prepared to give to its words an utterly unwarrantable and infamous import. Thus the web has been woven throughout by an *Iago* spirit and cunning, but it crumbles into dust at the touch of honest truth.

Whether, however, the notes of these conspirators have been manufactured for the occasion—which we affirm as true beyond all question—or have been written at the times and by the persons they purport to have been written by, we declare, upon the authority of the Judge Advocate General himself, that every word and syllable they contain calling in question, directly or by implication or insinuation, the integrity of his action, or the sincerity and complete fairness of all he has done in any connection, either with the witnesses produced by Conover before the Bureau of Military Justice, or the testimony given by them, are wholly and malignantly false. His conduct, vindicated as it is by documentary evidence in the possession of the bureau, will abide any scrutiny to which it may be subjected by friend or foe.

Having entered upon this subject, we deem it but just to the public to give in terms as brief as possible a summary of the history of Conover's agency, with its results, so far as it bears upon the aspersions spread before the country by the knot of conspirators and villains we are endeavoring to expose. We assert, therefore,

First. That the inquiry in which Conover was employed was not begun by the Judge Advocate General until he had received from this man distinct and repeated written assurances of the existence of testimony criminating Davis and others, and of his ability to procure it, and proffering his services to do so. Conover, though now wholly degraded, was then, so far as known to the Government, without a stain upon his character, and the Judge Advocate General, as the head of the Bureau of Military Justice, would have been unfaithful to his duty had he disregarded these assurances or taken action less direct and decided than he did. Having been summoned as a witness, Judge Holt,

on the 18th of June last, gave his sworn evidence before the Judiciary Committee of the House of Representatives, and from this evidence we make the following extracts:

"In my previous testimony before the committee I stated that, from the knowledge derived from the trial of the assassins of the President of the apparent complicity of Davis, Clay, and others in that crime, I felt it my duty to pursue the investigation further. I did so on the first opportunity that presented itself. That opportunity was found in the written assurances of a man known to me under the name of Sanford Conover; and who, under this name, had given important testimony on the trial of the assassins—testimony, however, which did not bear upon the question of the guilt of the parties on trial as concerned in the actual murder of the President, but related only to the general conspiracy charged to have been formed for the commission of that crime, to which it was alleged that Davis, Clay, and others were parties.

"This man, it seems, had been a correspondent of the New York *Tribune* from Canada; and it was through Mr. Gay, of the *Tribune*—a citizen of well-known character for loyalty and integrity—that he was brought to the notice of the Government as an important witness. After he had given his evidence on the trial of the assassins, from his intelligence and apparently intimate association with rebel refugees and conspirators in Canada, I was satisfied that he had possessed unusual opportunities for acquiring information in regard to their plans and movements. Hence, when he wrote me alleging the existence of testimony implicating Davis and others, and his ability to find the witnesses, and proffering his services to do so, I did not hesitate to accept his statements and proposals as made in good faith and entitled to credit and consideration.

"The first letter which I received from him was written from New York, and bore date the 26th of July, 1865. This letter I have now in my hand for the examination of the committee. In it will be found all the details of the assurances to which I have just referred. The letter is as follows;

"New York, July 26, 1865.

"*Brigadier General Holt:*

"DEAR SIR: Believing that I can procure witnesses and documentary evidence sufficient to convict Jeff. Davis and C. C. Clay of complicity in the assassination of the President, and that I can also find and secure John H. Surratt, I beg leave to tender the Government, through you, my services for these purposes.

"Since my appearance as a witness before the commission, I have been engaged to some extent, on my own account, in seeking further evidence to implicate Davis, Clay, and others; and I feel warranted in saying that my efforts have not been without some success. I can promise to find at least three witnesses—men of unimpeachable character—who will testify that they submitted to Davis propositions, which he approved, to destroy the President, Vice President, and Cabinet; and that they received indirectly from the rebel government money to enable them to execute the proposed scheme. Letters, I am assured by one of the parties referred to, can be adduced to corroborate a part of their statements.

"Two of these persons can testify that they were present with Surratt at an interview with

Davis and Benjamin last spring, in which the plot under which Mr. Lincoln was assassinated was discussed and approved by both functionalities.

"These men may be relied on. As I have already said, their character is unimpeachable. They despise and hate Davis now as intensely as they once admired and loved him. Besides, they feel the necessity of doing some meritorious action to insure the forgiveness and pardon of the Government they have outraged.

"The interest I have manifested in this case has been prompted solely by a desire to serve the Government, though I must admit that it has been intensified by my hatred of the rebel leaders. The rebellion has ruined me financially, and I have suffered much at the hands of Davis & Co. It will be no fault of mine if they escape without their just deserts.

"You may depend that I can and will, if desirable to you and the Government, accomplish all I promise, and more.

"If it is not intended to try Davis and others for complicity in the assassination, I shall be glad to be sent after Surratt. I have ever believed that I could find him, and I am confident that I can now devise a scheme for his capture. I do not enter into particulars because I know the value of your time too well to trouble you with a long letter. If the propositions I submit are entertained, I will call on you and be more explicit.

"Please favor me with a reply at once, and in the meantime, believe me to be your most obedient servant,
SANFORD CONOVER.

"Direct in care of S. H. GAY, *Tribune*."

On the 2d August thereafter another letter, if possible more earnest and urgent in its tone, was written to the Judge Advocate General by Conover, who, in consequence of these representations, was, after a conference with the Secretary of War and with his assent, engaged as an agent of the Government to collect the testimony of the existence of which he claimed to have knowledge. He was occupied some six or seven months in the South, in the North, and in Canada, and from the various points he visited corresponded with Judge Holt, as did several of the witnesses. This correspondence is preserved in the files of the bureau, and establishes beyond the possibility of question the perfect good faith with which the Judge Advocate General acted; and it also shows that, with the information thus communicated to him, and which he had no reason to distrust, he could not have done otherwise than continue the inquiry.

Second. We affirm that, instead of the Judge Advocate General having had any ground for suspecting the fraud while in progress, or having in any way sought to conceal it, he endeavored to have the testimony subjected to every possible test; and it was through his own direct action that the crime which had been committed was discovered, and that this horde of perjurers was finally dragged to the light. After having, in his testimony before the Judiciary Committee, presented the original correspond-

ence to which we have referred, and detailed the circumstances under which the various depositions had been given, he concluded his evidence in the following words:

"There was nothing in the previous history of Sanford Conover, as known to me, to excite any distrust, either in his integrity, in his truthfulness, or in the sincerity with which he had made his propositions to the Government, that led to his being employed as an agent for the collection of the testimony which was supposed to exist in reference to the assassination of the President. On the contrary, there was much in his intelligence which was marked and striking, and in his apparent frankness and his known connection with important sources of information, to inspire faith in his professions and promises. There was much also to inspire this faith in his correspondence with me, as already exhibited, while apparently engaged in the difficult and responsible duty imposed upon him. That correspondence was characterized by unusual intelligence, by great variety of detail, and by a naturalness which seemed to protect it from criticism; and my confidence in the testimony was strengthened by my knowledge that it was in accord with and seemed to be in a large degree a natural sequence from other facts which had been testified to as having occurred in Canada, by witnesses known to the Government, and whose reputation has not been, and cannot, it is believed, be successfully assailed.

"Upon the passage of the resolution of the House of Representatives, appointing a committee to investigate and ascertain what testimony existed in regard to the complicity of Davis in the assassination of the President, I appeared before this committee, in obedience to its summons, and gave my testimony, and produced before it the depositions to which I have referred, together with the reports which I made, and which reports, with the opinions therein expressed upon the questions involved, were based upon these depositions, and upon the other proofs therein presented and commented on; upon which proofs these depositions were but cumulative, though strongly so.

"Decided, however, as was my confidence in the truthfulness of these depositions, I was not willing that the committee should accept my estimate of them, or base any action of their own solely on that estimate. Hence I urged—certainly the chairman and I think another member of the committee—that I should be directed or requested to bring before them the more important of these witnesses produced by Conover, who were believed to be within the reach of the Government, in order that by their cross-examination, their bearing while testifying, and by such other tests as they might be subjected to, the committee should be enabled to determine for themselves what degree of credit their evidence was entitled to.

"In consequence of this suggestion of mine, and of its having been repeated and urged, I received the direction of the Hon. Mr. Wilson, chairman of the committee, to send for these witnesses, or the more important of them. I accordingly sent to the city of New York Brevet Colonel Turner, judge advocate, giving him, as I now remember it, the names of Campbell, Snavil, McGill, Wright, Patten, and Mrs. Douglass; these being the witnesses I had reason to believe might be obtained within a reasonable time. It is barely possible that the

name of Patten was not embraced in this list, owing to my supposing him to reside in Saint Louis; but the most important of the witnesses were certainly included. Colonel Turner, on proceeding to New York, had an interview with Campbell, who has repeatedly been referred to by me; and in a conversation with Colonel Turner, Campbell declared that the testimony which he had given in his deposition before the Bureau of Military Justice was false, and that it had been fabricated by or under the supervision of Sanford Conover. This I learned from Colonel Turner, and I learned he made the same statement at the same time in regard to the testimony of Snavil, and expressed the opinion that the other witnesses who had been produced by Conover had also sworn falsely and under assumed names. Colonel Turner brought Campbell on to Washington, and I then suggested that Mr. Wilson, chairman of the committee, should telegraph for Conover, in order that he and Campbell might be confronted in their examination, and opportunely thus afforded the committee of determining the question of credibility at issue. Conover accordingly came and went before the committee, and while undergoing examination there, Campbell was introduced, and having been sworn, he stated that his deposition given before the Bureau of Military Justice was false in all respects, and was wholly and completely the fabrication of Conover, who then being present replied, under oath, that this declaration of Campbell was untrue, but declined to offer any explanation. After, however, Campbell had been withdrawn, Conover suggested to the committee as a reason why he (Campbell) had made his statement that he had probably been corrupted, and supposed he could make more by falsifying his former testimony than he could by sustaining it.

"I said to Conover, immediately after his examination closed, that I was utterly astounded at the evidence Campbell had given. His reply was, 'You cannot be more so than I am.' I then added: 'You see the position in which you are placed; now, if what is charged against you is false, your only mode of vindication is to bring before the committee the witnesses whom you produced, and whose depositions were taken before the Bureau of Military Justice, in order that they may be examined and reaffirm their testimony.' He said he would proceed to New York with the officer of the committee, and assist him in finding the witnesses; and would, as I understood him to say, return with them to Washington. He left, as I was told, with the officer of the committee; but on arriving at New York separated himself from him, and was not seen by him afterward; and up to this time he has not communicated with me, nor has he made any effort, as I believe, to produce the witnesses, nor has he offered any vindication of his conduct.

"This action of his, added to the declarations under oath of Campbell, followed up, as they were afterward, by the testimony of Snavil as to the utter falsity of the depositions which he and Campbell had given, left on my mind a strong impression that Conover had been guilty of a most atrocious crime, committed under what promptings I am wholly unable to determine. I employed him under no contract for any stipulated compensation. He had no reason from me to believe that he would receive more for his labor in the event of his success than in the event of his failure to discover the testimony

which he alleged existed; nor had he authority to give to the witnesses any other assurance than that they should not be personally compromised by speaking the truth. He only had reason to believe, and was so assured, that all expenses would be paid and that a fair compensation for the services performed—both in view of their importance and of the extreme danger to which it was supposed they might expose him—would be made, but nothing beyond this.

“Although but two of the witnesses, to wit: William Campbell and Joseph Sneyd, have been found and produced, and have declared the falsity of their depositions; yet, considering the conduct of this agent of the Government as exposed and explained, it is believed that the same discredit which seems to attach to these two depositions of Campbell and Sneyd should attach to all the depositions given by the witnesses brought to the Bureau of Military Justice for examination by Conover; and I would therefore suggest, unless the grounds for discrediting these depositions be in some way removed, that all that testimony be withdrawn from the consideration of the committee. The witnesses whose depositions under this view would be withdrawn are the following: John McGill, William Campbell, Joseph Sneyd, Farnham B. Wright, Sarah Douglass, Mary Knapp, W. H. Carter, and John H. Patten.

“I append hereto, as a part of this my deposition, official copies of all the letters and telegrams of Sanford Conover and others heretofore referred to, the whole being marked ‘Exhibits to the deposition of J. Holt, Judge Advocate General.’

“I deem it proper to remark (which possibly I may in effect have done previously) that I conferred freely with these witnesses, before and while examining them; that they appeared to possess the ordinary amount of intelligence, and certainly assumed perfect self-possession and frankness of manner, and seemed to be, so far as I could judge, under no improper influence; and there was nothing either in the testimony which they gave—regarded in the light of other evidence in possession of the Government, and which has not been successfully controverted—or in their manner while deposing calculated in any degree to excite doubt as to their truthfulness; and I did not at any time question the sincerity and honesty with which they were speaking. The disclosure made by Campbell to Colonel Turner was the first intimation which I had received of the shameless fraud which, it is alleged by two of the witnesses, has been committed upon the Government by Conover.”

It will be observed, by reference to the report of the Judiciary Committee, that, in accordance with the view above expressed by Judge Holt, they gave to the Conover testimony no consideration whatever. After having given this evidence, the Judge Advocate General made an elaborate report to the Secretary of War, presenting a full history of Conover's agency, and declaring the testimony introduced by him to be discredited; and formally withdrew all the depositions from the consideration of the Government.

Third While a wily and profligate endeavor is made, through the fabricated notes of which we have spoken, to create the impression that large

sums of money have been bestowed upon these perjured witnesses and their suborner, Conover—with a view to, or as a reward for, their corruption, this, like every other vile insinuation contained in the papers, is utterly false. We are authorized by the Judge Advocate General to say that nothing beyond what was deemed necessary to meet the actual and reasonable expenses of these witnesses was paid them. They were long held by the Government, awaiting the trial which it was anticipated might be ordered in the cases of Davis, Clay, &c., and while thus waiting their expenses were properly met by the Government; and this was in accordance with the rule pursued in many other cases—a rule often absolutely essential to maintain the interests of public justice. As to Conover, his expenses were also paid, and he was allowed, in addition, what was regarded as a just compensation for his services during the six or seven months during which his agency for the bureau continued, and no more. All averments or insinuations that a dollar was ever paid to these men for any other than the purposes mentioned are wholly untrue.

Thus is exposed the true nature of this elaborate but transparent conspiracy, which, in aiming to serve and to save the chief of the traitors, has not hesitated to attempt to overthrow the official character of the Judge Advocate General. And while this attempt must, of course, be as fruitless as it has been desperate, the endeavor of the conspirators to protect Davis from the charge of complicity in the assassination of President Lincoln must be alike in vain. It is true that that portion of the testimony brought forward by Conover is at this time discredited; and the friends of Davis, in the confusion raised by their outcry against the Judge Advocate General, would hope to have it understood that this is *all* the material testimony upon which the charge is based. But, in point of fact, it is but one branch of the body of proof which has accumulated in the case. Long before the production of the testimony in question a tribunal, composed of officers of the first rank and intelligence, had, after the fullest investigation, and upon proof which has not been, and, it is believed, cannot be assailed, pronounced the head of the rebellion *guilty* of the crime which crowned its infamous history. Since then other and equally reliable evidence has been presented; and the Judiciary Committee of the House of Representatives, in whose report it is set forth, have declared, upon an examination of this and the previous proofs, and excluding from their consideration that now discredited, that “there is probable cause to believe that he (Davis) was privy to the measures which led to the commis-

sion of the deed." This verdict has been accepted by the great mass of thoughtful and loyal men throughout the country, and cannot but, we are assured, become the deliberate conclusion of history. And the present attempt to do away with the judgment which has been passed upon Davis as an assassin, by seeking to make the impression that that judgment rests solely or largely upon the testimony produced by Conover, and thus interpose a cloud of doubt and uncertainty before the mass of proof which remains unimpeached, must, we are persuaded, be readily comprehended, and everywhere exposed and denounced. We affirm, as our concluding remark, that this judgment, long since formed, is based in no degree on this testimony, which was never given to the country until discredited, but that it has for its foundation a volume of evidence, documentary and otherwise, in the possession of the Government, which has not been controverted, but which, standing as it does, intact, points to Davis as involved in the assassination of the President, with "the slow, unmoving finger" of a condemnation which no clemors, however loud or frantic, of traitors and their sympathizers, can shake or disturb.

The following is the letter of August 2, referred to in the foregoing article:

New York, August 2, 1862, [1865.]

GENERAL: I proposed by letter a few days ago to find, for the good of the Government and people, John H. Surratt, one of the conspirators, and to produce unimpeachable evidence sufficient to convict Davis, Clay, and others of complicity in the assassination of Mr. Lincoln.

I solicited, indeed expected, an early reply, but was disappointed. Surratt has since been captured, (so the papers say,) so that, of course, my services in that direction will not be required.

Probably you have also sufficient evidence to convict Davis, Clay, *et al.*, without the testimony—I should say evidence—I proposed to adduce, the witnesses I proposed to produce, and the facts that you could deduce under my suggestion from certain disloyalists.

If it is all so I'm glad. But will you not be kind enough, on receipt hereof, to inform me *by telegraph*, directed to Fifth Avenue Hotel, whether or not I can be of further service to the Government.

If I cannot be of further service I propose to go to Mexico; and my last day if you do not desire more of me, in New York, will be next Friday Saturday.

I hope I can be of further service. I more than hope that I shall hear from you (by telegraph) before Saturday. If I do not I shall assume that I can be of no further service, and act accordingly. Your obedient servant,

SANFORD CONOVER.

Brigadier General HOLT, Judge Advocate General, Washington, D. C.

P. S.—This is the fourth letter that I have written you without having received a reply. I do sincerely hope that I may receive an answer to this, if not to those that preceded it.

Respectfully,

S. C.

WAR DEPARTMENT,
BUREAU OF MILITARY JUSTICE.
WASHINGTON, November 24, 1866

TO ALL LOYAL MEN: In a former vindication of myself which appeared in the Washington CHRONICLE of 3d of September, and was adopted by me as "perfectly truthful," extracts from my deposition before the Judiciary Committee of the House of Representatives were given as presenting a clear and succinct history of the "Conover testimony," and of my relation to it. As a part of that history was also furnished the letter of Conover to me, which led to his employment by the Government, and in which he gave distinct assurances as to the existence of evidence implicating Davis and others in the assassination of the President, and declared his ability to produce the witnesses, and made an offer of his services to do so. In that vindication it was also alleged that—with the exception of my own brief notes to Conover, and which in themselves afforded no color of imputation against me—all the letters and notes which had been published by the New York Herald, and afterward by other paper, and which had been made the basis of an arraignment of my official integrity, were forged and their statements utterly false. It was further affirmed "that nothing beyond what was deemed necessary to meet the actual and reasonable expenses of these witnesses was paid them; that they were long held by the Government awaiting the trial which it was anticipated might be ordered in the cases of Davis, Clay, &c., and while thus waiting their expenses were properly met by the Government, and that this was in accordance with the rule pursued in many other cases—a rule often absolutely essential to maintain the interests of public justice." Since the date of that vindication proofs have been taken in support of its most important averments, and they are now submitted as unanswerable evidence of the malignity and foulness with which I have been traduced. Protesting against being condemned without having been first heard, I respectfully ask that these proofs, which will speak for themselves, may be read and considered by all who are willing to know the truth.

The genuineness of my own brief business notes to Conover, so far as published, has never been denied, but has been constantly admitted. Their language allows of no construction to my prejudice, and they have been pressed into the service of these conspirators only through the forged letters with which they surrounded them for the purpose of perverting and destroying their true meaning. I say they are genuine, so far as published, because I know not what forged notes or letters purporting to be mine may now be in the hands of this horde of villains, or may hereafter be fabricated by them for use against me.

As the forged letters, &c., referred to—and which have been made the ground of calumnious accusations against me in connection with the “Conover testimony”—all first appeared as original matter in the *New York Herald*, which continued their publication, with opprobrious imputations on myself, after they had been pronounced to be spurious; and as that journal has declared that it is “in no way indebted to Conover for these documents,” and as Conover himself—by whom or to whom they purport to have been written—utterly repudiates them, it must, in the absence of explanation or disclaimer, be held that the *New York Herald* and its rebel coadjutors are directly responsible for their fabrication, and for the slanderous and infamous use which has been made of them.

That falsehood, though guided by the shrewdest of secondhands, is sure, sooner or later, to trip, is shown by the fact that these conspirators made Conover seem to write me from Philadelphia, on the 13th of December, 1865, a long and crimi-native letter, whereas, in truth, as is proved by a telegraphic despatch from him on file in the Bureau of Military Justice, he was then at Montreal, Canada, and communicated with me on that very day from that point.

Attention is invited to the statement of the witness Joseph A. Hoare, that after he gave his deposition I introduced him to the President, to whom the deposition was read, and that the President, as well as Secretaries Seward and Stanton, who were present, conversed with him in regard to the remarkable statements it contained. This is mentioned as evidence that in taking and collecting this testimony no concealment was practised. On the contrary, the depositions, as taken, without exception, were at once communicated to the Secretary of War, and by him to the President and Cabinet, so that the existence and character of these depositions were well known to these high officials as to myself, and if any of them expressed distrust of the entire truthfulness of the testimony—which then stood wholly unimpeached—I have not been able after diligent inquiry to ascertain it.

Feeling myself entitled to it under the articles of war, I made a formal written demand through Secretary Stanton for a court of inquiry, with a view to a judicial examination of all the charges which have been made against me, alike in connection with the “Conover testimony” and the trial of the assassins of the President. In my letter to the Secretary I said:

“As these accusations—utterly false and groundless as I pronounce them to be, and as they are believed to be known to those who gave them utterance to be—are of the gravest import, and directly call in question my official integrity, and must, if credited, destroy all confidence in me as a public officer, and in the bureau over which I preside, it seems to be a solemn

duty on the part of the Government to have them investigated, and a record of the truth made. My official honor and that of this bureau, as well as that of the military service with which I am connected, imperatively demand this. I seek and challenge the elevated scrutiny of my official conduct in all the matters to which these atrocious accusations relate, which can be instituted in the interests of truth and justice.

“I therefore respectfully but earnestly ask that under the articles of war a court of inquiry, composed of officers of high rank and acknowledged reputation, be appointed, whose duty it shall be to thoroughly examine each and all of said charges as preferred against me, and that said court shall be required not merely to report the facts, but to give their opinion on the merits of the case.”

By reference to the letter of the Secretary of War it will be seen that the President has declined to order this court, all going that he “deems unnecessary for my relief.” This action of the President must be accepted as a full recognition on his part of the groundlessness of these accusations, and necessarily of the innocence of those who have made them. But with this, so, I cannot but regret that the court was not ordered, since I believe that the public notion, deeply involved in my official action, would have been safeguarded, as would have been my own, by making, as could easily have been done, through sworn and unimpeached testimony, such a record of all the proceedings and contacts impacted as would have silenced forever the poisoned tongues alike of open traitors and of those renegade Unionists who, ignobly echoing back the still living spirit of the late rebellion, are seeking favor and power by abjectly pandering to its resentments. But while thus prevented from making my defence under circumstances which could not have failed to command the public confidence, I have no fears for the issue. The truth, of which I sought to make a judicial record, is mightier than all its enemies combined, and though it may be and often is slow, it is ever sure in the end to assert its mastery over falsehood and fraud.

From the moment I entered on my present position the Secretary of War has had continual and thorough knowledge of my official career, and a loyal people will not hesitate to give to his language in my behalf the weight to which it is so justly entitled. Such words, so emphatic and honorable to me, and prompted by such complete comprehension of my action, added to by such a man and such a patriot as, amid the sublime labors and responsibilities and perils of the times, Edwin M. Stanton has proved himself to be, may be safely poised in my defence against all the curses and fetid vilification which can come from the rebel throat—the open sepulchre of defamation—from now until doomsday.

It is not proposed—for I too well understand how hopeless would be the effort—to correct the mendacious habits of the wicked men who coined these calumnies against me, or who have been and are still industriously engaged in giving them circulation. So far as they are concerned, I simply aim yet further to expose and blacken their guilt before the world by augmenting, through conclusive proofs, the light of that truth against which they have offended and still delight to offend; and having done this, to leave them under the brand of public scorn to pursue, as they doubtless will, the lie they make and love, and which seems to be at once the aliment and the banquet of their lives. This vindication, therefore, be it understood, is not at all offered to traitors here or elsewhere, their aiders, abettors, or sympathizers; nor is it made with any hope or desire of convincing or conciliating them—for by my loyalty and faithfulness to duty I have long since earned their appeaseless hate, and I spurn and defy it—but it is offered to the honest and true everywhere, who, though they may feel no interest in my own fate, will nevertheless, I am sure, feel an enduring interest in the protection of those principles of justice and loyalty, honor and fair dealing, which are the safeguards of every man's life and reputation, and which have been so shamelessly violated in my person.

J. HOLT,
Judge Advocate General.

[From the New York Herald of Sept. 26, 1866.]

WAR DEPARTMENT,
BUREAU OF MILITARY JUSTICE,

WASHINGTON, D. C., September 22, 1866.

Mr. James Gordon Bennett:

SIR: In the Washington correspondence of New York Herald of yesterday are found two letters, one purporting to have been written to myself by S. Conover, under date of "Philadelphia, December 13, 1865," and the other stated to have been enclosed in the former, and purporting to have been written by M. N. Harris to "Friend Conover," under date of "Harrisburg, December 11, 1865," which letters are offered in support of an atrocious calumny heretofore published against me by this same correspondent, and from which my "vindication" has appeared in the CHRONICLE of this city and other journals; and I am now "challenged to deny the genuineness and truthfulness of these letters."

In reply, I declare that until I saw these letters in the Herald of yesterday I had never seen or heard of them, or of either of them, or of their contents; nor were these letters or either of them, or the subject matter of either, or the man Harris, ever alluded to by Conover in his correspondence, or in any of his numerous personal conferences with me. I pronounce them, therefore, to be base fabrications, made for the purpose of adjustment to my note to Conover under date of 15th December, 1865, with a view of giving to that note a totally unwarrantable signification. That note is alleged by your correspondent to have been written in reply to Conover's pretended letter to me of "Philadelphia,

13th December, 1865;" which allegation is wholly untrue. This note of mine, on the contrary, was in answer to a telegraphic communication—called, it seems, by me, a "letter"—sent to me by Conover from Montreal, under date of "13th of December, 1865," in which it was stated that he was there with three very important witnesses and expecting another, and required more funds, and asking a remittance, and the \$150 mentioned in my note was enclosed to him to meet the necessary expenses in bringing these four witnesses, with himself, to Washington. Neither the note itself nor the remittance had any other object than this, except the simple one of urging his speedy return to Washington.

Thus the stale artifice heretofore exposed and denounced of manufacturing letters and notes for the purpose of adjusting them to my own brief communications, in order to change their import, is here revived, and this audacious work will no doubt be continued so long as the public shall show itself sufficiently credulous or gullible to give to these forged papers credit or consideration. I cannot but believe the American people too sensible and too honest to be the dupe of a trick so shallow and shameless. All imputations calling in question the strict integrity of my official action in any connection with the "Conover testimony," as it is termed, which may arise out of these papers, or from any other publication or source whatever, I pronounce malignantly false in their every intendment and implication.

You will do me an act of simple justice by giving the foregoing a place in your columns.

J. HOLT, Judge Advocate General.

Deposition of Joseph A. Hoare, taken at the office of Colonel Turner, judge advocate, Washington, D. C., October 13, 1866:

District of Columbia, Washington City, ss.

Joseph A. Hoare, being duly sworn, deposes as follows:

Question. Did you give your deposition before the Judge Advocate General in Washington, D. C., and if so, when, and in relation to what matter?

Answer. I gave my deposition at the office of the Judge Advocate General, Washington, D. C., November 4, 1865, relative to the assassination of President Lincoln and the alleged complicity of Jefferson Davis and others therein; and I gave it in the name of William Campbell.

Q. Were you examined as a witness before the Judiciary Committee of the House of Representatives; if so, when, and the subject matter thereof?

A. I was examined as a witness before said committee on the 8th day of May, A. D. 1866, and I then and there swore that the deposition I had made at the office of the Judge Advocate General, November 4, 1865, was entirely false, and that the substance of it was fabricated by a man by the assumed name of "Sanford Conover," but whose real name is Charles A. Dunham; and I now swear that said deposition was and is false, and was fabricated by said Conover, as above stated, and committed to memory by myself, as prepared by him—though not given to the Judge Advocate General precisely in the language prepared by Conover—a change in the language being caused by the questions propounded by the Judge Advocate General.

Q. Within two or three months there has appeared in the New York Herald, National Intelligencer, and other papers, two letters pur-

porting to have been written by yourself, in the name of "William Campbell," to Sanford Conover, of which letters, as published, the following are copies. The first letter is as follows:

"ST. ALBANS, VT., November 19, 1865.

"I have just parted with the party I thought would do to represent Lamar. He will go into the game and swear all that is wanted, but he places his price at a pretty high figure. He wants \$3,000, and says he won't sell his soul for less. You told me not to go above \$1,500, but the judge told me afterward that, if necessary, I could go \$500 more. But even this is far below the mark. What am I to do? I have written the judge how the matter stands, and I hope you will urge him to come to the terms. Dick is a good fellow, and we can depend on him without fear, and he has the faculty liars need most—a mighty good memory. I hope to receive a message from you to-morrow telling me to strike the bargain. At any rate let me know how to act as soon as possible.

"WILLIAM CAMPBELL."

The copy of the second letter published is as follows:

"DEAR SIR: I have been trying to see you for several days, but hear that you are out of town. I shall leave this at station A, that you may get it as soon as you return. I am in great need of more money; my last investments did not pay, and I am dead broke, and so is Sneyell. The judge told me when I last saw him to communicate with him only through you, and I don't like to write him; but I must have money in a few days. Get him to send me \$500, for nothing less will be of any use to me. I wish I could get in bulk all I am to receive, and then I could get into safer business; but I suppose you are all afraid that if you should give me all in my hands at once I could not be found when most wanted. I don't like to be suspected, but anything is better than being poor, so I will take what I can get, but of course not less than \$500. Don't keep me waiting, for G. D.'s sake, for I shall hardly be able to raise cocktails and cigars till I hear from you.

"Truly yours, WILLIAM CAMPBELL."

State whether the said letters, or either of them, were or was written by yourself.

A. I did not write either of them, and they are forgeries, and wholly and entirely false in every particular.

Q. Were you in St. Albans, Vermont, in November, 1865; and if so, on what business?

A. I was in St. Albans in November, 1865, under an engagement with the Judge Advocate General, to find a witness by the name of Lamar. Sanford Conover and myself had represented to the Judge Advocate General that said Lamar was in Canada, and that I could find him; and hence I was sent to get him. I wrote to the Judge Advocate General from St. Albans on the 15th of November, 1865, stating the progress I had made in finding Lamar, and had not yet succeeded in finding him. I went from St. Albans to Boston, and wrote again to the Judge Advocate General from that city, November 29, 1865, in which I stated that Lamar had been found, and that he and myself might be expected in Washington the latter part of the week thereafter. I further swear that I knew no man by the name of Lamar, and that the fraud was practised upon the Judge Advocate General by the instigation and procurement of Sanford Conover.

Q. Was the deposition you gave at the office

of the Judge Advocate General, November 4, 1865, written out precisely as given by you?

A. The deposition was written out by the Judge Advocate correctly, as stated to him by me.

Q. When you gave said deposition, or after, did you in any way intimate to the Judge Advocate General that your deposition was not true?

A. I did not; and I gave him no reason to doubt the integrity of my action.

Q. Will you state whether the money paid you from time to time was more than enough to pay your expenses during the time you were held as a witness by the Government?

A. I regarded myself held as a witness six or seven months; also as an agent; and the amount I received did not exceed \$650, which was not more than my expenses, including my journey to St. Albans and Boston, and Washington twice.

Q. Had you or not frequent conversations with Conover about the witnesses he was procuring to go before the Bureau of Military Justice?

A. I had.

Q. There has appeared in the *New York Herald* and other papers a letter purporting to have been written by S. Conover to Judge Advocate General Holt, under date of "Philadelphia, December 13, 1865," and which letter professed to have enclosed in it a letter from M. N. Harris to "friend Conover," under date of "Harrisburg, December 11, 1865," which letters the Judge Advocate General has denounced as forgeries. Now, will you state whether or not, in your conversations with Conover, he ever mentioned the name of M. N. Harris, or that he was ever engaged in getting testimony at Philadelphia or Harrisburg?

A. Conover never spoke to me about any man by the name of M. N. Harris, and I know no such person, and I never knew of his being in Philadelphia or Harrisburg to obtain testimony. The letter referred to of December 13, 1865, is before me, as published in the *New York Herald*, and the following is a copy:

"PHILADELPHIA, December 13, 1865

"GENERAL: I am glad to be able to report that I have succeeded beyond my expectations. Besides the parties I had in view, we can count on two, and perhaps four, others, who will testify to all that may be required. After securing Harris, who will prove the most important witness we have yet had, he assured me that he had several friends in Harrisburg whom he was confident would assist us, and as the expense would not be great, I deemed it advisable to despatch him at once to confer with them. He is discreet and shrewd, and no fears need be entertained of his blundering. I received a letter from him this morning, which I enclose, and this afternoon I shall set out to secure the parties he refers to. If satisfied that they will answer our purpose, I shall, as soon as I can get them thoroughly posted, come on with them. I am fearful, if we engage all that we have on hand, that my funds will not hold out, so that you had better send me \$100 more, to be used, if needed.

"Direct your letter simply to Philadelphia as I put up from time to time where I find it most convenient to keep track of the witnesses already in hand.

"Respectfully, your obedient servant,

"S. CONOVER.

"Brigadier General HOLT, Judge Advocate General."

Q. Where, in point of fact, was Sanford Conover on the 13th of December, 1865?

A. According to my best knowledge and information he was on that day in Canada; and I have now before me a telegraphic despatch from said Conover to the Judge Advocate General, dated "Montreal, December 13, 1865," from which it appears that on the day he pretended to have written to the Judge Advocate General from Philadelphia, he was, in fact, in Montreal, Canada.

Q. After you gave your deposition before the Judge Advocate General, did he or not accompany you to the President of the United States, and introduce you to him, and also to the Secretary of State, Mr. Seward, and, if so, state what occurred at that interview?

A. He did; and after I had been introduced he read my deposition to the President and Mr. Seward, and then the President and Mr. Seward conversed with me relative to the statements the deposition contained. During this interview the Secretary of War, who was then present, also addressed some questions to me relative to my deposition.

J. A. HOARE.

Sworn and subscribed at Washington, D. C., this 18th day of October, 1866, before me,

GEO. C. THOMAS.

Notary Public.

Deposition of William H. Roberts, taken at the office of Colonel Turner, judge advocate, Washington city, October 18, 1866:

William H. Roberts, being duly sworn, deposes as follows:

Question. Did you at any time give your deposition at the office of the Judge Advocate General, in Washington, D. C., and if so, in relation to what matter?

Answer. I did give my deposition before the Judge Advocate General on the fourth day of November 1865, relative to the assassination of President Lincoln and the alleged complicity of Jefferson Davis and others therein. I gave said deposition in the name of "Joseph Senevil," and at the same time that Joseph A. Hoare, alias "Campbell," gave his. I further say that afterward, in the month of May, 1866, I was examined as a witness before the Judiciary Committee of the House of Representatives, having been duly subpoenaed to attend, and then and there, being duly sworn, I testified that the deposition given by me before the Judge Advocate General on the fourth day of November, 1865, was wholly and entirely false, and that the same was fabricated by a person who assumed the name of "Sanford Conover," but whose real name is Charles A. Dunham, and I now reiterate that said deposition was and is false, and was, in its substance, fabricated by said Dunham, alias "Conover." The said Dunham wrote out what he desired me to swear to, and I committed the same to memory from his manuscript, and then repeated the same (though not precisely in the same language) substantially as my deposition in reply to the questions asked by the Judge Advocate General. The said manuscript I had in my possession some time afterward, and finally I gave it up to said Dunham, alias Conover, and at his request. I had said manuscript in my pocket at the time I gave my deposition, but I did not exhibit it or refer to it while at the office of the Judge Advocate General in any way. I further state that my deposition was given in answer to questions addressed to me by the Judge Advo-

cate General, and that my answers to said questions were correctly written down by him.

Q. How long a time did you consider yourself held as a witness by the Government?

A. Between six and seven months.

Q. What amount of money was paid you by the Government or its agents?

A. Not exceeding the sum of four hundred dollars, which was really not enough to meet my expenses during the time. The understanding was with the agent of the Government that my expenses should be paid, which to this time has not been done.

Q. In the New York Herald of August 24, 1866, and subsequently in other papers, there appeared a letter purporting to have been written by you under the name of "Joseph Senevil," to Sanford Conover, of date "New York, November 14, 1865," of which the following is a copy, as published:

"WESTCHESTER HOUSE.

"NEW YORK, November 14, 1865.

"Mr. Sanford Conover:

"DEAR SIR: I have been looking for more than a week for the \$500 draft promised me from you or the judge, but have been disappointed. I don't think I have been treated exactly on the square, for Campbell has had more by nearly \$1,000 than I have, and yet I stretched my conscience just as much as he did, and my testimony, as you and the judge both said, was just as important as his.

"I don't like to find fault, but I like still less to beg or to borrow, as I am obliged to, from Campbell, when I ought to be just as well off as he.

"I don't mean to complain, for I know you have much to attend to, and can't do everything at once, but as all the rest have been better paid than myself I ought not to be forgot.

"Please do not fail to send draft by return mail, for you know this is an awful place to be without money, and your petitioner will ever pray.

Respectfully, yours,

"JOSEPH SENEVIL."

Now, will you state if said letter was written by yourself, or no?

A. I did not write said letter; it is a forgery, and all its statements are false.

Q. Have you had frequent conversations with "Conover" about the witnesses he was procuring for the Government?

A. I had conversations with him often.

Q. Did you ever hear him mention the name of M. N. Harris, and did you know or ever hear of Conover's being engaged in Philadelphia or Harrisburg in looking up witnesses?

A. Conover in his frequent conversations with me never mentioned any person by the name of M. N. Harris, and I have no knowledge that Conover was ever in Philadelphia or Harrisburg in search of witnesses, and I am confident that if he had been there he would have told me.

Q. While giving your deposition before the Judge Advocate General, or at any other time while held as a witness, did you communicate or intimate to him in anywise that your deposition was not truthful, or did you make any communication to the Judge Advocate General from which he could have suspected the truthfulness of your testimony or integrity of your character?

A. I did not, and I gave no intimation to any officer of the Government that said deposition was false until I disclosed it to Colonel Turner, judge advocate, in the month of May, 1866, who was sent to New York by the Judiciary Com-

mittee of the House to procure the attendance of witnesses.

W. H. ROBERTS.

[G. C. T., October 18, 1866.]

Sworn and subscribed at Washington, D. C., this 18th October, 1866, before me,

GEO. C. THOMAS,
Notary Public.

Letter from Hon. James F. Wilson, chairman of the Judiciary Committee of the House of Representatives:

FAIRFIELD, IOWA, September 29, 1866.

MY DEAR SIR: On my return home from a canvass of my district, I received your favor of the 7th inst.

I am not surprised at the attack made on you by the friends of Jefferson Davis, for they will spare no pains to shield him from the penalty of his great crime. But I know that there is no just ground upon which to base such attacks.

In the discharge of my official duties relative to the charge of complicity in the plot to destroy the life of President Lincoln, made against Davis and others in the proclamation of President Johnson, I acquired personal knowledge of your whole course of action concerning the case.

After the House of Representatives had directed the Committee on the Judiciary to investigate the charge made by President Johnson in said proclamation against Davis and others, you manifested the utmost solicitude in favor of a thorough sifting of all the testimony in the possession of the Bureau of Military Justice, and especially that which had been collected through the instrumentality of Sanford Conover. You earnestly urged the committee to send for the witnesses whose depositions you had taken in the Conover branch of the case, notwithstanding those depositions seemed fair, truthful, and no suspicion had been cast upon them.

The committee not knowing where said witnesses could be found, you proposed to send Colonel Turner to New York city in order to discover the whereabouts of the witnesses and to procure their attendance. Your proposition was approved by the committee, and Colonel Turner visited New York. His visit and investigation led to a suspicion that Conover had practised a fraud upon the authorities. This only increased your earnestness in asking for a complete sifting of the testimony given by the witnesses procured by Conover. A plan was agreed upon by a part of the committee and yourself to have Conover confronted before the committee by one of his most important witnesses. This plan was carried out, and resulted in discrediting the Conover branch of the case. No one more promptly recognized this fact than yourself, and you so stated, and advised the withdrawal from the consideration of the committee of the testimony of all the witnesses procured by Conover. The report of the committee in no sense rests upon the testimony of these witnesses—that testimony was wholly disregarded.

Your action in this matter was most fair and impartial, and afforded satisfactory evidence that your only desire in the premises was to arrive at the truth. I wish the whole country could be as well informed of your conduct in this regard as is the Committee on the Judiciary—you would need no other defence. Yours, truly,

JAMES F. WILSON,

Hon. JOSEPH HOLT, Washington, D. C.

Letters from Hon. George S. Boutwell and

D. Morris, members of the Judiciary Committee of the House of Representatives:

GROTON, MASS., September 13, 1866.

SIR: I have observed the studied attempts making by the friends of Jefferson Davis to injure your reputation by imputing to you improper conduct in your efforts to ascertain the truth and bring to justice all those who were concerned in the assassination of President Lincoln. As a member of the Judiciary Committee of the House of Representatives I had knowledge of all the proceedings, and I can bear ready and full testimony to your disinterested, impartial, and patriotic services in aid of justice. It is true that certain witnesses who deposed before you afterward retracted their statements, but the evidence is conclusive that you believed their original statements to be true, and that if they were false you were the party deceived.

The committee had ample opportunities to witness your conduct and bearing, and I am persuaded that, with the exception of Mr. Rogers, all approved and justified your conduct in every particular. I have no doubt that the machinations of your enemies will fail signally, as surely they ought to fail.

I am, very truly, GEO. S. BOUTWELL.

Hon. JOSEPH HOLT, Washington, D. C.

PENN YAN, N. Y., October 15, 1866.

Colonel E. W. Dennis:

MY DEAR SIR: Yours of the 3d of September ult., with the enclosed article from the Washington CHRONICLE, came to hand during my absence, and by accident it was missed. It has just come to my attention, and I hasten to reply, that the article from the CHRONICLE, as far as my knowledge is concerned, is accurate.

I think I was with the Judiciary Committee at each meeting when Judge Advocate Holt was present. I noticed, and remarked to members of the committee at the time, that Judge Holt exhibited a candor and a patriotism equal to anything I had ever witnessed. His actions and assertions evinced a desire to elicit the truth and only the truth. He was willing and apparently anxious to aid the committee in the investigation, and he did it in a way that inspired in me the profoundest respect. I sincerely hope that the Government may ever be favored with a judge advocate as intelligent, disinterested for self, and as vigilant to promote the interests of the Government, and develop the truth, as was manifested by Judge Advocate Holt.

I write in great haste as I leave town in a few moments, and am truly yours,

D. MORRIS.

Letter from Brevet Colonel L. C. Fugner, judge advocate, on duty in Washington:

WAR DEPARTMENT,

WASHINGTON CITY, September 10, 1866.

General J. Holt, Judge Advocate General:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 8th instant, in which you state: "A base endeavor is being made through the disloyal press of the country, acting in the interests of Jefferson Davis and the rebellion, and in co-operation with Sanford Conover, to impress the public mind with the belief that I, in some way, countenanced or was involved with Conover in the subornation of the witnesses produced by him before the Bureau of Military Justice, and whose testimony is now discredited as having been fabricated by himself."

You also state: "A further impression is sought to be made, in utter disregard of the facts, that the crime thus committed by Conover was not discovered by any agency of mine, but in despite of endeavors on my part to prevent the exposure."

And inasmuch as I, your agent and acting under your directions, was connected with exposing and disclosing the falsity of the testimony produced by Conover and his subornation of witnesses, you request me to "make a brief but distinct statement of all that occurred in connection with this testimony, in any manner bearing on the atrocious calumnies against me," &c.

In compliance with your request I respectfully state:

That the 26th of April last you informed me that certain persons had made depositions before the Bureau of Military Justice relative to the alleged connection of Jeff. Davis, C. C. Clay, and others with the assassination of President Lincoln; that the Judiciary Committee of the House of Representatives were investigating the matter, and you were unwilling that the depositions should be received as testimony without being tested and verified by the personal examination and cross-examination of the witnesses by the committee.

You seemed anxious that the witnesses should be produced before the committee, and directed and instructed me to proceed to New York and obtain their attendance.

You furnished me with the names and probable whereabouts of the witnesses, viz:

Sanford Conover; post office address, Station A, New York.

Joseph Snevil; post office address, Station A, New York.

William Campbell, Farnham B. Wright, and John McGill, supposed to be in or about New York; John H. Patten, supposed to be in St. Louis; Sarah Douglas and Mary Knapp, supposed to be in Canada.

You advised that Wright should be sent to find Patten, and Conover to go to Canada for the two women. You sent a telegram to Snevil to meet me at the Astor House the morning of the 27th of April, and gave me a letter of introduction to Conover, of which the following is a true copy:

"WAR DEPARTMENT,

"BUREAU OF MILITARY JUSTICE,

"WASHINGTON, D. C., April 26, 1866.

"Mr. Sanford Conover:

"DEAR SIR: This will be presented to you by Colonel Turner, judge advocate, who will communicate with you fully in regard to the business which takes him to New York. The Judiciary Committee of the House of Representatives are anxious to secure, at as early a day as possible, the attendance of the witnesses named in a list in Colonel Turner's hands, and I write to request that you will at once use all your efforts to secure that result. You probably know the whereabouts of most of them, and through your personal exertions, aided by others, may succeed in bringing these witnesses, or at least the greater part of them, before the committee. I saw Mr. Wilson this morning, who read me your letter, and it is at his instance that I write you, having no doubt but that from the information you have, and your past faithfulness, you will be both able and willing to do in the in-

terest of truth and public justice what is now required of you.

"Very respectfully, your obedient servant,

"J. HOLT,

"Judge Advocate General."

And the sole object of said letter was my introduction to Conover, and have him aid in procuring the witnesses before the committee.

All the witnesses were unknown to me, and I was not before advised that their depositions had been taken, and there was no intimation that there was any suspicion entertained by any one that their testimony was not perfectly truthful and reliable.

I arrived at the Astor House on the morning of April 27th last, and after repeated delays and annoying difficulties obtained interviews with Conover, Campbell, and Snevil, and a copy of my report in this regard, made at your request, to the Judiciary Committee, is herewith enclosed.

Through the disclosures of Campbell, and otherwise, I ascertained undoubtingly that all the witnesses procured by Conover before the Bureau of Military Justice deposed under fictitious names; that their verified statements were false, and fabricated by Conover, and that Conover was the author of the atrocious scheme which resulted in such astounding perjuries and subornations.

Thursday, May 3, I returned to Washington, and Campbell accompanied me. After reporting to you, and your interview with Campbell, a telegram was sent at your instance to Conover, requesting his immediate attendance before the Judiciary Committee.

Conover, having no suspicion that Campbell and myself were in Washington, came on at once, and, greatly to his surprise, he was confronted by Campbell in the Judiciary Committee room, which was the result of an arrangement between you, Mr. Wilson, chairman of the Committee on the Judiciary, and myself.

After Campbell had been examined Conover asserted that the statement of Campbell—that the testimony given by him before the Bureau of Military Justice had been fabricated by him (Conover)—was false, and the Judiciary Committee permitted him to return to New York in charge of the Sergeant-at-Arms to procure the attendance of the witnesses whose depositions had been taken with those of Campbell, Snevil, and others. He left that officer on arriving at the Astor House, and could not afterward be found.

At your instance and under your directions I again went to New York, May 15, with Campbell and the Sergeant-at-Arms, to subpoena the other witnesses and procure their attendance before the Judiciary Committee.

Snevil, McGill, Wright, and Patten were found and subpoenaed, and I returned with Snevil to Washington. The others failed to appear. Snevil was examined by the committee, and fully corroborated Campbell as to the falsity and fabrication of the depositions.

Again referring you to the copy of my report to the Judiciary Committee, enclosed, which furnishes in greater detail the action taken by me, while acting under your direction and instructions, I beg leave to state in conclusion that in my judgment the base calumnies with which "traitors, confessed perjurers, and suborners" are pursuing you are as preposterous as atrocious, and will result in increasing instead of lessening the enduring confidence of all true-

hearted and honest-minded men in your eminent fidelity and faithfulness as a Governmental officer, and your undoubted loyalty as a citizen.

I have the honor to be, very respectfully, your obedient servant,
L. C. TURNER,
Judge Advocate.

—
WAR DEPARTMENT,
WASHINGTON CITY, November 8, 1866.

Gen. Joseph Holt, Judge Advocate General:

GENERAL: I have the honor to say I deem it proper to inform you that within a few days, and since Sanford Conover's arrest, I have had several conversations with him, in the course of which I brought to his notice and exhibited to him, as published, the various letters which first appeared in the New York *Herald*, and have since been copied into other papers, purporting to be from or to him, and intended by their statements and intimations to criminate yourself, and desired him to say what he knew in regard to them. The letters to which I refer may be described as follows, viz: one, signed "M.," dated 17th April, 1866, and addressed to said Conover; one bearing the signature of "William Campbell," and addressed to Conover, under date of "St. Albans, Vt., November 19, 1865;" one signed "Carter," and addressed likewise to Conover, dated "Quartermaster's Office, April 27, 1866;" one signed "Joseph Snevil," addressed to Conover, and dated "Westchester House, November 14, 1865;" one signed "S. Conover," addressed to Patten, and dated "Ephrata Mountain House, June 8, 1866;" and one dated "Philadelphia, December 13, 1865," signed "S. Conover," and addressed to "Brigadier General Holt, Judge Advocate General," and professing to have enclosed within it a letter to said Conover from "M. N. Harris," dated "Harrisburg, December 11, 1865."

Conover declared to me unhesitatingly and distinctly that he had written no such letters to you as the foregoing, purporting to have been written by him to yourself; and, further, he stated that he had not received from the parties above named, or either of them, any such letters as those above set forth, and which profess to have been written by said parties to said Conover, and that he knew nothing in regard to them. While he thus, in effect, declared all these papers to be fabricated and false, he insisted that he did not know by whom they had been manufactured for publication. Several of these letters, as published, will be found set out

fully in the depositions of Joseph Hoare and William H. Roberts, recently taken at my office.

Feeling some solicitude to know what motive could have prompted Conover to suborn the witnesses produced by him before the Bureau of Military Justice, I asked him; and he replied, and requested me to state to you, that it was solely a desire to avenge himself on Jeff. Davis, by whose order, he said, he had been confined for some six months in Castle Thunder. He alleged that not only had he been thus maltreated, but that his wife had also been insulted by Davis. He also assured me that the testimony he gave on the trial of the assassins of President Lincoln before the military commission was true in every particular, and asserted, again and again, that Davis was connected with said assassination, and as to that there was no sort of question.

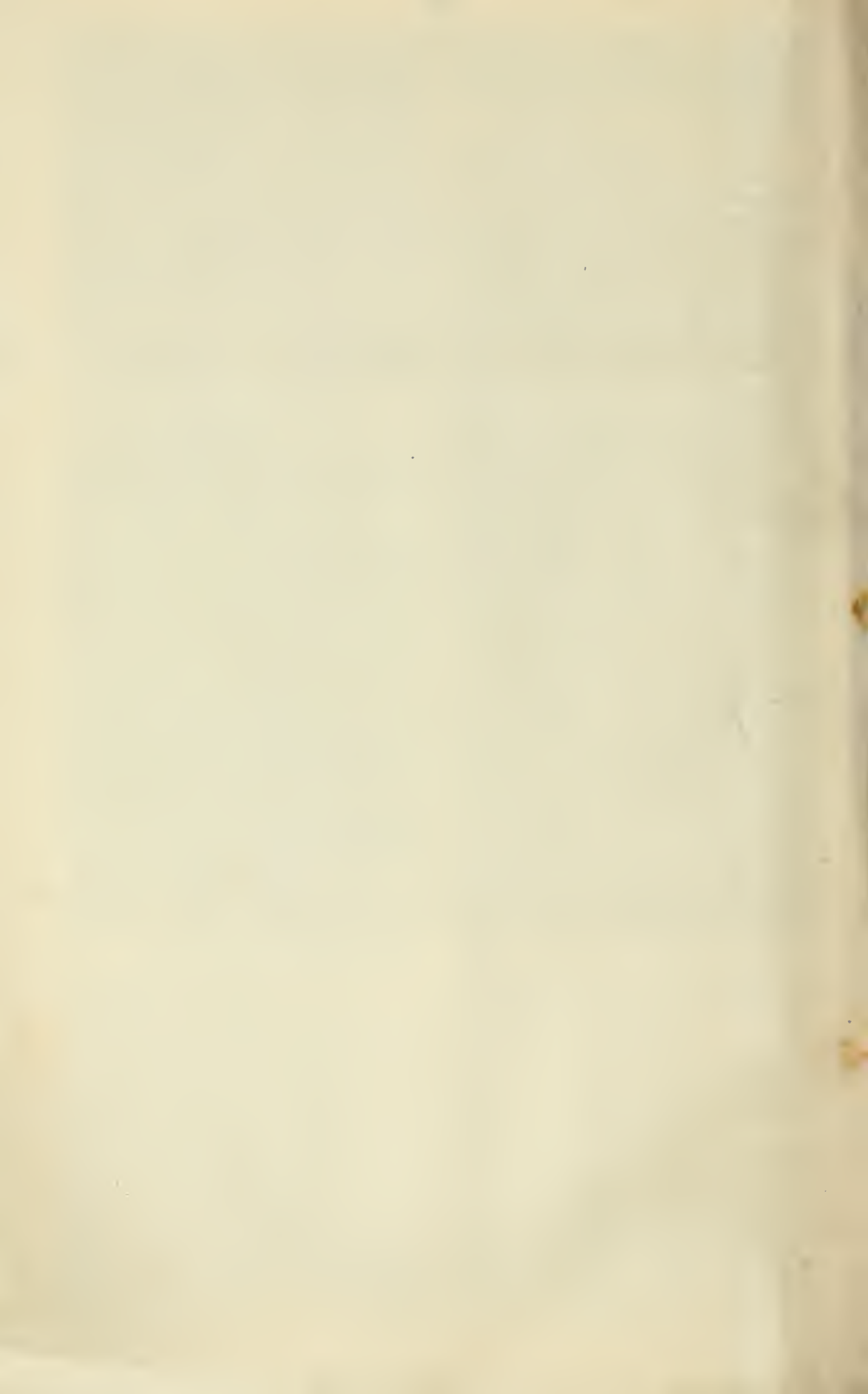
I have the honor to be, very respectfully, your obedient servant,
L. C. TURNER,
Brevet Colonel and Judge Advocate.

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WAR DEPARTMENT,
WASHINGTON CITY, November 14, 1866.

SIR: Your letter of the 11th of September, applying for a court of inquiry upon certain imputations therein mentioned as made against you, of official misconduct in relation to the prosecution of Mrs. Surratt and others, charged with the assassination of the late President, Abraham Lincoln, and in the preparation of testimony against Jefferson Davis and others, charged with complicity in said crime has been submitted to the President, who deems it unnecessary for your vindication to order a court of inquiry.

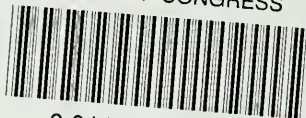
In communicating the President's decision, it is proper for me to express my own conviction that all charges and imputations against your official conduct and character are, in my judgment, entirely groundless. So far as I have any knowledge or information your official duties, as Judge Advocate General, in the cases referred to and in all others, have been performed fairly, justly, and with distinguished ability, integrity, and patriotism, and in strict conformity with the requirements of your high office and the obligations of an officer and a gentleman.

Your obedient servant,
EDWIN M. STANTON,
Secretary of War.
Brevet Major General JOSEPH HOLT, Judge Advocate General.





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